

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

FEB 20 2025

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ADRIAN STOICA,)
a/k/a Boeri Kvec)
a/k/a Borri Kvec)
a/k/a Boeri Stoica)
a/k/a Adrian Anghel)
)
Defendant.)

4:25CR066 JAR/SPM

UNITED STATES' MOTION FOR PRETRIAL DETENTION AND HEARING

COMES NOW the United States of America, by and through Sayler A. Fleming, United States Attorney, and Justin M. Ladendorf, Assistant United States Attorney, for the Eastern District of Missouri, and hereby moves the Court to order Defendant Adrian Stoica detained pending trial, and requests that a detention hearing be held within three days of Stoica's initial appearance, pursuant to 18 U.S.C. § 3142(f)(2).

INTRODUCTION

Defendant Adrian Stoica is charged with three counts of wire fraud based on a yearslong "sleight-of-hand" scheme through which he defrauded Target (and other retailers) of significant sums of money, and one count of illegal reentry by a removed alien based on his reentry into the country after previously being removed pursuant to a removal order. As detailed below, Stoica has a history of disobeying conditions of release, has used multiple aliases, has no known ties to any community, and has an incentive to flee given the strength of the evidence against him. He therefore presents a serious risk of flight who should be detained pending trial.

ARGUMENT

A. Standard.

When considering the issue of detention in a fraud case like this one, the Court must first decide whether the case involves a serious risk of flight. 18 U.S.C. § 3142(f)(2)(A); *United States v. Cook*, 87 F.4th 920, 924 (8th Cir. 2023) (“[T]he government has the burden to show that the case ‘involves’ one of the circumstances defined in §3142(f)(1) or (2).”). If it does, then, just as in any other case, the Court must determine “whether there are conditions of release that will reasonably assure the appearance of [the defendant] as required and the safety of any other person and the community” by considering, among other things, (1) the nature and circumstances of the offense charged, (2) the weight of the evidence against the defendant, (3) the history and characteristics of the defendant, and (4) the nature and seriousness of the danger posed by the defendant’s release. 18 U.S.C. § 3142(g). While these two inquiries are “not identical,” they “substantially overlap,” so “many of the same considerations apply.” *Cook*, 87 F.4th at 924–25. A finding of serious risk of flight and risk of nonappearance need only be supported by a preponderance of the evidence, and a finding of dangerousness must be supported by clear and convincing evidence. *United States v. Abad*, 350 F.3d 793, 797 (8th Cir. 2003). “[E]ither danger to the community or risk of flight is sufficient to authorize detention.” *United States v. Cantu*, 935 F.2d 950, 952 (8th Cir. 1991).

B. Stoica is a serious risk of flight and nonappearance.

Stoica’s immigration history and persistent criminal conduct, including while subject to conditions of release, demonstrate that he presents a serious risk of flight. Stoica was first encountered in the United States in March 2016, when he was arrested by border patrol in Arizona while using the name “Boerri Kvec.” After he was released on an Order of Recognizance pending

his removal proceedings, Stoica picked up several criminal cases in California, which resulted in ICE arresting him for violating his release conditions. Stoica was then released again on an immigration bond. But rather than appearing at his removal proceedings, Stoica left the country and returned to Romania. Ultimately, an Immigration Judge ordered his removal in May 2018.

Despite being subject to an outstanding removal order, Stoica illegally reentered the country in October 2018 through Texas, this time under the name “Adrian Stoica.” While he was in the country unlawfully, he continued to engage in criminal conduct in numerous states, including Virginia (flight to avoid prosecution and larceny) and Delaware (shoplifting and conspiracy). Following his arrest in Delaware, ICE removed Stoica from the country in February 2020 pursuant to the 2018 removal order.

Thereafter, at some point prior to November 2021, Stoica illegally reentered the country a second time through an unknown location under an unknown name. Since then, Stoica has carried out the charged wire fraud scheme in states throughout the country, which has led to criminal charges being filed and arrest warrants being issued for him in Georgia, Florida, and Minnesota under various names, including his new alias “Adrian Anghel.”

In addition to Stoica’s history of disregarding the laws of this country and using various aliases to conceal his true identity, the risk that Stoica will flee is heightened by the strength of the evidence against him and his lack of ties to any community. Although Stoica is presumed innocent, the evidence against him is strong—it includes the Immigration Judge’s prior removal order, as well as video surveillance and still images capturing him carrying out the charged wire fraud scheme at Target and other retail stores over 100 times in more than 20 states between November 2021 and October 2024. As Stoica’s frequent travel from state to state while carrying out his fraud

scheme suggests, he does not stay in any single location for an extended period and, to the Government's knowledge, he does not have a permanent address in the United States.

CONCLUSION

For all of the foregoing reasons, Stoica is a serious flight risk, and there is no condition or combination of conditions that will reasonably assure his future appearance. Accordingly, he should be ordered detained pending trial.

Respectfully submitted,

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UNITED STATES ATTORNEY

/s/ Justin M. Ladendorf

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